

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FAOUZI ABDUL-MENHEM JABER,

Plaintiff,

-against-

CHRISTINA HANLEY; ANDREA LEE
SURRETT; COLLEEN MCMAHON;
SABRINA P. SHROFF; ALEXI MARC
SCHACHT; GEORGE TURNER,

Defendants.

20-CV-7347 (LLS)

CIVIL JUDGMENT

Pursuant to the order issued December 2, 2020, dismissing the amended complaint,

IT IS ORDERED, ADJUDGED AND DECREED that the amended complaint is
dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii)-(iii).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the Court's
judgment would not be taken in good faith.

IT IS FURTHER ORDERED that the Clerk of the Court shall enter this judgment to
Plaintiff and note service on the docket.

SO ORDERED.

Dated: January 5, 2021
New York, New York

Louis L. Stanton
Louis L. Stanton
U.S.D.J.

CLERK OF COURT
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
U.S. COURTHOUSE - 500 PEARL STREET
NEW YORK, NY 10007
OFFICIAL BUSINESS

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Faouzi Abdul-Menhem Jaber
7584C-054
Federal Correctional Complex-Medium
P.O. Box 1032
Coleman, FL 33521

SPECIAL MAIL - OPEN ONLY
IN PRESENCE OF UNIT SECRETARY
LEGAL MAIL

SPECIAL MAIL - OPEN ONLY
IN PRESENCE OF UNIT SECRETARY

Inmate recieved Mail on: 01-05-2021
Given by Unit Team
Unit Secretary: L. Torres Above information is correct: 1-5-2021

5-10-21

Faouzi Jabbar #75840-054
Federal Correctional Complex
Coleman - Medium
P.O. Box 1032
Coleman, FL 33521-1032

U.S. District Court
Clerk of Court
500 Pearl St.
New York, NY 10007

Re: Status Update in Case No. 20-CV-7347 (LLS)

Dear Clerk,

I am writing to find out the status of my civil case. I received an order telling me my case was being dismissed with 30 days leave to replead my case that was dated December 2, 2020. However, I did not receive the order until 1-05-2021, 3 days after the deadline. I then received a final order of dismissal on 1-15-2021 advising me that I did not reply in time and that I could appeal. I want it noted that I am having problem with receiving my legal mail here at the institution I am confined in. The counselor, Rodriguez, who gave me my mail refused to even date it to verify when I received it. The secretary, Ms. Torres had to sign to verify when I received. I wrote before explaining the situation but I have not received any acknowledgment from you. I

sent the letter certified mail on January 22, 2021, and you received it on January 28, 2021. Please give me a status update on my case. Thank you.

Fauzi Jabbar

P.S. I filled out a Notice of Appeal form that you sent me. However, I sent it certified mail on January 18, 2021, Tracking number - 7020-2450-0000-1369-9428, and it can't be found in the system. Please, I am having trouble with the mail as I have told you.

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CLOSED,ECF,PRO-SE,SUA-SPONTE

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:20-cv-07347-LLS

Jaber v. Hanley et al
Assigned to: Judge Louis L. Stanton
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 09/09/2020
Date Terminated: 01/05/2021
Jury Demand: Plaintiff
Nature of Suit: 555 Prisoner: Prison
Condition
Jurisdiction: Federal Question

Plaintiff**Faouzi Abdul-Menhem Jaber**

represented by **Faouzi Abdul-Menhem Jaber**
75840054
Federal Correctional Complex-Medium
P.O. Box 1032
Coleman, FL 33521
PRO SE

V.

Defendant

Ms. Christina Hanley
Special Agent -DEA

Defendant

Ms. Andrea Lee Surratt
TERMINATED: 01/28/2021

Defendant

Ms. Colleen McMahon
TERMINATED: 01/28/2021

Defendant

Ms. Sabrina P. Shroff
TERMINATED: 01/28/2021

Defendant

Alexie Marc Schacht
TERMINATED: 01/28/2021

Defendant

George Turner
TERMINATED: 01/28/2021

| Date Filed | # | Docket Text |
|------------|---|-------------|
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|------------|----------|--|
| 09/09/2020 | <u>1</u> | COMPLAINT against Christina Hanley, Colleen McMahon, Sabrina P. Shroff, Andrea Lee Surratt. (Filing Fee \$ 400.00, Receipt Number 465401269582) Document filed by Faouzi Abdul-Menhem Jaber..(rdz) Modified on 11/30/2020 (rdz). (Entered: 09/11/2020) |
| 09/09/2020 | | Case Designated ECF. (rdz) (Entered: 09/11/2020) |
| 09/09/2020 | | Magistrate Judge Kevin Nathaniel Fox is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (rdz) (Entered: 09/11/2020) |
| 09/11/2020 | | CASHIERS OFFICE REMARK - Check Returned. Check in the amount of \$450.00 returned to the U.S. Treasury because it was payable to the wrong court and in the wrong amount.. (cde) (Entered: 09/11/2020) |
| 09/11/2020 | | NOTICE OF CASE REASSIGNMENT - SUA SPONTE to Judge Louis L. Stanton. Judge Unassigned is no longer assigned to the case..(bcu) (Entered: 09/11/2020) |
| 09/29/2020 | <u>2</u> | AMENDED COMPLAINT, re: amending <u>1</u> Complaint against Alexie Marc Schacht, George Turner, Christina Hanley, Colleen McMahon, Sabrina P. Shroff, Andrea Lee Surratt with JURY DEMAND. Document filed by Faouzi Abdul-Menhem Jaber. Related document: <u>1</u> Complaint.(sc) Modified on 11/30/2020 (sac). (Entered: 09/30/2020) |
| 09/30/2020 | <u>3</u> | ORDER DIRECTING PAYMENT OF FEE OR IFP APPLICATION & Prisoner Authorization: Plaintiff is directed to render payment of the filing fee or submit an IFP application & Prisoner Authorization to this Court's <i>Pro Se</i> Office within thirty (30) days of the date of this Order. The Clerk of Court is directed to assign this matter to my docket. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith, and therefore <i>in forma pauperis</i> status is denied for the purpose of an appeal. See <u>Coppedge v. United States</u> , 369 U.S. 438, 444-45 (1962). Filing Fee due by 10/30/2020. In Forma Pauperis (IFP) Application due by 10/30/2020. (Signed by Judge Louis L. Stanton on 9/30/2020) (Attachments: # <u>1</u> IFP Application, # <u>2</u> Prisoner Authorization) (keb) Transmission to Docket Assistant Clerk for processing. (Entered: 09/30/2020) |
| 09/30/2020 | | Mailed a copy of <u>3</u> Order Directing Payment of Fee or IFP Application, to Faouzi Abdul-Menhem Jaber, Reg No. 75840054, Federal Correctional Complex-Medium, P.O. Box 1032, Coleman, FL 33521. (Attachments: # <u>1</u> IFP Application, # <u>2</u> Prisoner Authorization) (dsh) (Entered: 09/30/2020) |
| 10/27/2020 | <u>4</u> | LETTER from J. Faouzi, dated 10/21/20 re: Sir, I have received legal mail from your Court signed by the Honorable Judge on 10/6/20. The first payment I made of \$650 Dollars was not the amount, and it has been returned to me; and I must make a new payment of \$400 Dollars. On 10/8/20, I gave the Counselor of my Unit(A4) the order of payment \$400 Dollars and Legal Mail to send to your Court; and my Legal Mail was Certified Mail Receipt (7018 0040 0000 6220 9034) etc. Sir, I do not know if you have received my Legal Mail, and the statement of the last six months and the payment of \$400 dollars, because the Judge said I have 30 days and that means until 11/6/20 etc. Document filed by Faouzi Abdul-Menhem Jaber.(sc) Modified on 10/28/2020 (sc). (Entered: 10/28/2020) |
| 11/10/2020 | | Pro Se Payment of Fee Processed: \$400.00 Check processed by the Finance Department on 11/10/2020, Receipt Number 465401269582. (vf) (Entered: 11/10/2020) |
| 11/10/2020 | <u>5</u> | APPLICATION TO PROCEED WITHOUT PREPAYING FEES OR COSTS. Document filed by Faouzi Abdul-Menhem Jaber.(sc) (Entered: 11/10/2020) |
| 11/10/2020 | <u>6</u> | PRISONER AUTHORIZATION. Document filed by Faouzi Abdul-Menhem Jaber.(sc) (Entered: 11/10/2020) |

| | | |
|------------|-----------|---|
| 12/02/2020 | <u>7</u> | ORDER OF DISMISSAL: The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. The Court denies Plaintiff's request for pro bono counsel, without prejudice to Plaintiff's renewing his application. For the reasons set forth herein, Plaintiff's amended complaint is dismissed with 30 days' leave to replead. A Second Amended Complaint form is attached to this order. If Plaintiff fails to file a second amended complaint within 30 days, the Court will enter judgment consistent with this order. (Signed by Judge Louis L. Stanton on 12/2/2020) (sac) Transmission to Docket Assistant Clerk for processing. (Entered: 12/08/2020) |
| 12/09/2020 | | Mailed a copy of <u>7</u> Order 30 Days Amended Complaint (case opening), to Faouzi Abdul-Menhem Jaber, Reg NO. 75840054 at Federal Correctional Complex-Medium, P.O. Box 1032, Coleman, FL 33521. (dsh) (Entered: 12/09/2020) |
| 01/05/2021 | <u>8</u> | CIVIL JUDGMENT: IT IS ORDERED, ADJUDGED AND DECREED that the amended complaint is dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii)-(iii). The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the Court's judgment would not be taken in good faith. IT IS FURTHER ORDERED that the Clerk of Court mail a copy of this judgment to Plaintiff and note service on the docket. (Signed by Judge Louis L. Stanton on 1/5/2021) (Attachments: # <u>1</u> Pro Se Appeal Package) (sac) Transmission to Docket Assistant Clerk for processing. (Entered: 01/07/2021) |
| 01/07/2021 | | Mailed a copy of <u>8</u> Judgment - Sua Sponte (Complaint), to Faouzi Abdul-Menhem Jaber, 75840054 at Federal Correctional Complex-Medium, P.O. Box 1032, Coleman, FL 33521. (dsh) (Entered: 01/07/2021) |
| 01/25/2021 | <u>9</u> | LETTER from Jaber Faouzi, dated 1/18/21 re: Please, I want to know the pages of all the affidavits I have sent to you which were written by hand, because I want to pay for the copies etc. Document filed by Faouzi Abdul-Menhem Jaber.(sc) (Entered: 01/26/2021) |
| 01/25/2021 | | Request for Copy of the updated docket sheet Received: Re <u>9</u> Letter. Request for Docket Report, from Jaber Faouzi received on 1/25/21. Transmission to Pro Se Assistants for processing. (sc) (Entered: 01/26/2021) |
| 01/26/2021 | | Request for Copies/Transcripts/Docket Sheet Processed: Mailed copy of Docket Sheet to Faouzi Abdul-Menhem Jaber, 75840054 at Federal Correctional Complex-Medium P.O. Box 1032 Coleman, FL 33521 on 1/26/2021. (sha) (Entered: 01/26/2021) |
| 01/28/2021 | <u>10</u> | SECOND AMENDED COMPLAINT, re: amending <u>2</u> Amended Complaint, against Christina Hanley with JURY DEMAND. Document filed by Faouzi Abdul-Menhem Jaber. Related document: <u>2</u> Amended Complaint,.(sc) (Entered: 01/28/2021) |
| 05/18/2021 | <u>11</u> | LETTER from F. Jaber, dated 5/10/21 re: "STATUS UPDATE IN CASE NO. 20-CV-7347(LLS)" - I am writing to find out the status of my civil case. I received an order telling me that my case was being dismissed with thirty(30) days leave to replead my case dated 12/2/20. However, I did not receive the order until 1/5/21, three days after the deadline etc. I want it noted that I am having problems with receiving my legal mail here at the institution in which I am confined. The counselor, Rodriguez, who gives me my mail refused to even date and verified when I received it etc. Document filed by Faouzi Abdul-Menhem Jaber.(sc) (Entered: 05/19/2021) |
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**U.S. District Court
Southern District of New York (Foley Square)
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Date Filed: 09/09/2020
Date Terminated: 01/05/2021
Jury Demand: Plaintiff
Nature of Suit: 555 Prisoner: Prison Condition
Jurisdiction: Federal Question

Plaintiff

Faouzi Abdul-Menhem Jaber

represented by **Faouzi Abdul-Menhem Jaber**
75840054
Federal Correctional Institution - Hazelton
P.O. Box 5000
Bruceton Mills, WV 26525
PRO SE

V.

Defendant

Ms. Christina Hanley
Special Agent -DEA

Defendant

Ms. Andrea Lee Surratt
TERMINATED: 01/28/2021

Defendant

Ms. Colleen McMahon
TERMINATED: 01/28/2021

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Ms. Sabrina P. Shroff
TERMINATED: 01/28/2021

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Alexie Marc Schacht
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| 09/08/2021 | <u>12</u> | LETTER from F. Jaber, dated 9/1/21 re: "CHANGE OF ADDRESS/DOCKET SHEET REQUEST" - Address: Reg. #75840054, FCI Hazelton, P.O. Box 5000, Bruceton Mills, WV 26524. Document filed b Faouzi Abdul-Menhem Jaber.(sc) (Entered: 09/09/2021) |
| 09/08/2021 | | Request for Copy of the updated Docket Sheet Received: Re <u>12</u> Letter. Request for Docket Report, from F. Jaber received on 9/8/21. (sc) (Entered: 09/09/2021) |
| 04/26/2022 | <u>13</u> | LETTER from Jaber Faouzi, re: Please send me an update of the status in this case. Document filed by Faouzi Abdul-Menhem Jaber.(sc) (Entered: 04/26/2022) |
| 04/26/2022 | | Request for Copy of the updated Docket Sheet Received: Re <u>13</u> Letter. Request for Docket Report, from Jaber Faouzi received on 4/26/22. Transmission to Pro Se Assistants for processing. (sc) (Entered: 04/26/2022) |

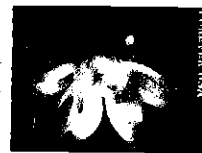
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| Billable Pages: | 3 | Cost: | 0.30 |
| Exempt flag: | Exempt | Exempt reason: | Always |

JABE
#75840034
FBI HAZELTON
P.O. Box 5000
BRUCEMILLS
NY 26525

Clerk US District Court New York
Southern District of New York
CHARLES L. BRIENT JR.
FEDERAL Bldg and US Court House
300 Quarropas St
White Plains, New York
NY, 10601

USMP
SDNY
W/P

LEGAL MAIL



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W/P

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